

**Equal Employment Opportunity Data Posted Pursuant to  
the No Fear Act of 2002 Title III:**

Agency/Sub-element:USDA

Date as of 06/30/2006- End of 3rd Quarter FY2006

**Complaint Activity**

29 CFR §1614.704(a) - (c)		29 CFR §1614.705 Comparative Data Previous Fiscal Year Data				
Activity	2006 end of 3 <sup>rd</sup> QTR	2005	2004	2003	2002	2001
Number of Complaints Filed in FY 1614.704(a)	387	666				
Number of Complainants 1614.704(b)	353	561				
Repeat Filers 1614.704(c)	21	50				

**Complaints by Issue**

29 CFR §1614.704(e)		29 CFR §1614.705 Comparative Data Previous Fiscal Year Data				
Issue	2006 end of 3 <sup>rd</sup> QTR	2005	2004	2003	2002	2001
Appointment/Hire	22	40				
Assignment of Duties	45	72				
Awards	12	14				
Conversion to Full- time	0	0				

<b>Disciplinary Action</b>						
Demotion	4	8				
Reprimand	11	24				
Suspension	11	38				
Removal	1	9				
Other	4	12				
Duty Hours	5	6				
Evaluation Appraisal	36	57				
Examination/Test	1	1				
<b>Harassment</b>						
Non-Sexual	141	228				
Sexual	12	14				
Medical Examination	0	0				
Pay (Including Overtime)	6	4				
Promotion/Non-Selection	102	203				
<b>Reassignment</b>						
Denied	4	10				
Directed	17	28				
Reasonable Accommodation	17	27				
Reinstatement	1	2				
Retirement	5	6				
Termination	38	38				
Terms/Conditions of Employment	32	68				
Time and Attendance	21	31				

Training	13	34				
Other	62	79				

Complaints by Basis

29 CFR §1614.704(d)		29 CFR §1614.705 Comparative DataPrevious Fiscal Year Data				
Basis						
	2006end of3 <sup>rd</sup> QTR	2005	2004	2003	2002	2001
Race	145	238				
Color	35	77				
Religion	22	32				
National Origin	56	99				
Sex (including complaints filed under Equal Pay Act)	133	247				
Disability	76	109				
Age	124	218				
Reprisal	192	336				
Other (Non-EEO)	35	262				

Complaints Pending from Previous Fiscal Years by Status

29 CFR §1614.704(k)		29 CFR §1614.705 Comparative DataPrevious Fiscal Year Data				
Pending Status						
	2006end of3 <sup>rd</sup> QTR	2005	2004	2003	2002	2001
Total complaints from previous Fiscal Years 704(k)(1)	1421	1358				
Total Complainants	782	641				

704(k)(2)						
<b>Number complaints pending [as of 9/30]: 704(k)(3)</b>						
Investigation	244	173				
ROI issued, pending Complainant's action	56	261				
Hearing	475	629				
Final Agency Action	543	547				
Appeal with EEOC Office of Federal Operations	0	1				

Processing Time (Average Days)

<b>29 CFR §1614.704(f)</b>			
<b>Processing Time "...post the average length of time it takes to complete each step of the process for every complaint that is accomplished during any time of the then fiscal year..."</b>		<b>2006end of 3<sup>rd</sup>QTR</b>	
		<b>Number</b>	<b>Average Days</b>
All complaints in Investigative Stage	1614.704(f)(1)	321	213.04
All complaints in Final Agency Action Stage		175	365.37
All complaints in which Hearing was not requested	1614.704(f)(2)	219	358.55
Time in Investigation Stage		130	213.74
Time to issue Final Agency Action		89	570.08
All complaints in which a Hearing was requested	1614.704(f)(3)	277	194.23
Time in Investigation Stage		191	212.56
Time to issue Final Agency Action		86	153.51

29 CFR §1614.704(g)		29 CFR §1614.705 Comparative Data					
Complaints Dismissed by Agency Pursuant to 1614.107(a)	2006end of 3 <sup>rd</sup> QTR	2005	2004	2003	2002	2001	
Total Complaints Dismissed by Agency	44	141					
Average days pending prior to dismissal	617	733					

29 CFR §1614.704(h)				29 CFR §1614.705 Comparative Data Previous Fiscal Year Data									
Finding Discrimination	2006end of 3 <sup>rd</sup> QTR		2005		2004		2003		2002		2001		
	#	%	#	%	#	%	#	%	#	%	#	%	
Total Number Findings 704(h)(1)	4		5										
Without Hearing 704(h)(2)	1	25	1	20									
With Hearing 704(h)(3)	3	75	4	80									

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<b>Total Number Findings 704(i)(1)</b>	4		35									
<b>Number Findings Rendered Without Hearing 704(i)(2)</b>	1	25	1	3								
<b>Number Findings Rendered After Hearing 704(i)(3)</b>	3	75	34	97								
Race	2	50	2	6								
Color	0	0	0	0								
Religion	0	0	0	0								
National Origin	0	0	0	0								
Sex (include Equal Pay Act)	0	0	6	17								
Disability	0	0	16	46								
Age	0	0	3	9								
Reprisal	1	25	7	20								
<i>Number of complaints in the details pop-up may be less than the count displayed in the report, as each complaint can have multiple issues and bases</i>												

Findings of Discrimination Rendered by Issue

29 CFR §1614.704(j)				29 CFR §1614.705 Comparative DataPrevious Fiscal Year Data									
Issue	2006end of3 <sup>rd</sup> QTR		2005		2004		2003		2002		2001		
	#	%	#	%	#	%	#	%	#	%	#	%	
Total Number Findings 704(j)(1)	3		13										
Findings Without Hearing 704(j)(2)	1	33	1	8									

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Pay (Including Overtime)	0	0	0	0									
Promotion/Non-Selection	3	100	0	0									
Reassignment (Denied & Directed)	0	0	0	0									
Reassignment - Denied	0	0	0	0									
Reassignment - Directed	0	0	0	0									
Reasonable Accommodation	0	0	2	15									
Reinstatement	0	0	0	0									
Retirement	0	0	0	0									
Termination	0	0	1	8									
Terms/Conditions of Employment	0	0	1	8									
Time and Attendance	0	0	1	8									
Training	0	0	0	0									
Other - User Defined	1	33	1	8									

#### Complaint Investigations

29 CFR §1614.704(l)		29 CFR §1614.705 Comparative Data Previous Fiscal Year Data					
Investigations							
	2006 end of 3 <sup>rd</sup> QTR	2005	2004	2003	2002	2001	
Number Pending Completion of Investigation	265	190					
Pending	150	88					



Investigations Over Required Time Frames						
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